

**CARLOS M. RAMIREZ**  
MAYOR

**MONICA D. CUNNINGHAM**  
CHIEF ADMINISTRATIVE OFFICER

**ESTRELLA ESCOBAR**  
EXECUTIVE ASSISTANT TO THE MAYOR

**MARK THREADGILL**  
EXECUTIVE ASSISTANT TO THE MAYOR



**CITY COUNCIL**

**JAN SUMRALL**  
DISTRICT NO. 1

**ROSE RODRIGUEZ**  
DISTRICT NO. 2

**LARRY M. MEDINA**  
DISTRICT NO. 3

**JOHN COOK**  
DISTRICT NO. 4

**PRESI ORTEGA, JR.**  
DISTRICT NO. 5

**PAUL JOSEPH ESCOBAR**  
DISTRICT NO. 6

**LUIS G. SARIÑANA**  
DISTRICT NO. 7

**ELVIA G. HERNANDEZ**  
DISTRICT NO. 8

**REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
APRIL 10, 2001  
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Carlos M. Ramirez present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Presi Ortega, Jr., Paul Joseph Escobar, Luis G. Sariñana and Elvia G. Hernandez. Absent: None. Meeting was called to order and the invocation was given by Pastor Carole Vaccariello, First Christian Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to accept, on behalf of the El Paso International Airport and for display at the Airport, the following gift from the El Paso Tennis Development Foundation: a group of eleven collectible limited-edition prints by artist, Eric Michaels, depicting historical perspectives over 400 years in El Paso. The prints have a total value of approximately \$300.00.

Ms. Hester, El Paso Tennis Development Association, asked Council to accept these donations in honor of the 19,000 underprivileged children who have been exposed to the joys of tennis. She explained that the children coming to El Paso for the USTA tournaments have made wonderful comments regarding the Airport and therefore these donations are extremely appropriate. She thanked Doug and Scott Schwartz, of the Schwartz Foundation for their assistance in building the new stadium court.

Mr. Pat Abeln, Director of Aviation, stated that the Airport would be very pleased to accept these donations. He assured Council Members that they will be displayed appropriately for the public.

Representative Sumrall noted how much the development community contributes to the City.

Motion made by Representative Sariñana, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

Motion made by Representative Ortega, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).

Representatives Medina, Ortega and Sariñana were not present for the vote.

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\*Motion made, seconded and unanimously carried to approve the Corrected Minutes for Regular City Council Meetings of January 18, 2000 and March 21, 2000. (Typographical errors were corrected in both.)  
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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the El Paso Museum of Art be authorized to serve wine/beer at One Arts Festival Plaza at the exhibition opening reception of *"Ansel Adams: Classic Images"* on April 19, 2001.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the El Paso Museum of Art be authorized to serve wine and beer at One Arts Festival Plaza at the *Educator Evening* reception on April 26, 2001 from 6:30 p.m. to 8:30 p.m.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event: Dinner & Presentation  
Licensee: AstraZeneca LP  
Date: April 24, 2001  
Time: 5:00 p.m. - 9:00 p.m.  
Charge for Space: \$1,000.00  
Charge for Staff (est.): \$360.00  
Charge for Insurance: \$40.00  
Area(s): Gallery Lobby & Café

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department, to re-grant funds from the FY2001 Direct Funding Program of the Arts Resources Department as recommended by the Arts Resources Department's Advisory Board and the City of the Paso Accessibility Coordinator.

|  | <u>ARD</u> | <u>TCA</u> | <u>TOTAL</u> |
|--|------------|------------|--------------|
| 1. Bridge Center for Contemporary Arts | \$1,797.00 | \$609.00   | \$2,406.00   |
| 2. Insights El Paso Science Center     | \$ 0.00    | \$250.00   | \$ 250.00    |

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following grant application on behalf of the Arts Resources Department for submission to the National Endowment for the Arts and to sign the related contracts should funds be granted. This grant will be used to present the 2002 World on a String Guitar Festival. The grant requires 1:1 match from the city grant match fund. The grant request is as follows:

1. To request and receive \$15,000 to present the World on a String Festival from April 24, 2002 to April 27, 2002.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign contracts for the following artists to perform at the 2<sup>nd</sup> Annual Walk For the Arts Fund Raiser scheduled for May 19, 2001, at the Chamizal National Memorial Park, as recommended by the Arts Resources Department's Staff.

1. Mark Alvillar; one performance at \$120.00;
2. Tommy Fraga; one performance at \$120.00,
3. Raul Garcia; one performance at \$120.00,
4. Nancy Green; one performance at \$120.00,
5. Cecilio Ortiz; one performance at \$120.00,
6. Ricardo Paz; one performance at \$120.00,
7. Arturo Quezada; one performance at \$120.00,
8. Thelma Rodriguez; one performance at \$120.00,
9. David Romo; one performance at \$120.00,
10. Karuna Warren; one performance at \$120.00.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to sign a Contract between the CITY OF EL PASO and the TEXAS DEPARTMENT OF TRANSPORTATION, on behalf of the Building Services Department, to continue to have access to the Internet website to check motor vehicles titles and registration records.

Representative Medina asked for elaboration.

Mr. Terry Williams, Deputy Director of Building Services, explained that this will allow the Building Services Department access to TXDOT information which allows the department to check motor vehicle titles primarily for junked vehicles or illegally parked vehicles.

Representative Medina mentioned the curbstoning ordinance and asked if this might be utilized in conjunction with curbstoning.

Mr. Williams responded in the affirmative.

Motion made by Representative Sariñana, seconded by Representative Medina and unanimously carried to approve the above Resolution.

Representative Sumrall was not present for the vote.

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**\*A RESOLUTION NOMINATING SOUTHWESTERN BELL WIRELESS LLC  
AS A TEXAS STATE ENTERPRISE ZONE PROJECT**

**WHEREAS**, the Texas Department of Economic Development ("TDED") designated the West Central El Paso Enterprise Zone ("the Zone") on November 1, 1995; and amended the Zone on May 18, 1999; and

**WHEREAS**, TDED will consider Southwestern Bell Wireless LLC ("SBW") as an enterprise project pursuant to a nomination and an application made by the City of El Paso, Texas (them City\*); and

**WHEREAS**, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the Zone and to provide employment to residents of the Zone and to other economically disadvantaged individuals; and

**WHEREAS**, pursuant to the Texas Enterprise Zone Act, Texas Government Code, Chapter 2303, Subchapter C, as amended (the "Act"), SBW has applied to the City for designation as an enterprise project; and

**WHEREAS**, the City finds that SBW meets the criteria for designation as an enterprise project under Chapter 2303, as amended, Subchapter C of the Act on the following grounds:

1. SBW is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business in the Zone and at least twenty-five percent (25%) of the business' new, full-time employees will be residents of a Zone within the City's jurisdiction or economically disadvantaged individuals; (or)
2. SBW is located in the Zone, or has made a substantial commitment to locate in the zone, which has an unemployment rate of not less than one and one-half (1-1/2) times the state unemployment rate, or a population loss of a least twelve (12) percent during the most recent six-year period or a population loss of at least four (4) percent for the most recent three-year period;
3. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the Zone; and
4. The designation of SBW as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the Zone.

**WHEREAS**, the City finds that SBW meets the criteria for tax relief and other incentives adopted by the City and nominates SBW on the grounds that it will be located wholly within the Zone, will create a higher level of employment, economic activity and stability; and

**WHEREAS**, the City finds that it is in the best interest of the City to nominate SBW as an enterprise project pursuant to the Act:

**NOW, THEREFORE, BE RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the findings of the City and its actions approving this resolution taken at the Council meeting are hereby approved and adopted.

**BE IT FURTHER RESOLVED** that SBW is a "qualified business," as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Chapter 2303, Subchapter C, as amended, of the Act.

**BE IT FURTHER RESOLVED** that the enterprise project shall take effect on the date of designation of the enterprise project by TDED and terminate five (5) years after that date of designation.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute an Enterprise Project Agreement between the City of El Paso and Southwestern Bell Wireless LLC pursuant to the requirements of Chapter 2303, Subchapter C of the Texas Enterprise Zone Act, as amended; said agreement to be submitted to the Texas Department of Economic Development as part of an application for enterprise zone project designation for Southwestern Bell Wireless LLC.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**WHEREAS**, on November 24, 1992, a Commission Agreement was entered into between the City of El Paso ("the City") and John S. Houser ("Artist") providing for the construction of a project known as the XII Travelers Memorial ("the Project"); and

**WHEREAS**, Section 2.02 of the Commission Agreement provided for funding for the Project on the basis of a portion of the costs to be covered by Tax Increment Finance District bond proceeds and the majority of Project costs to be covered by private-sector funds raised by the Artist; and

**WHEREAS**, work is currently underway on the monument of Don Juan de Oñate, the second of the twelve historically integrated monuments to be constructed as part of the Project; and

**WHEREAS**, the Robert E. and Evelyn McKee Foundation has expressed its desire to pledge a total of \$300,000.00 to the Project in three \$100,000 increments during 2001, 2002, and 2003, with additional funding of \$90,000.00 to be made available to the Project on a matching basis, in exchange for the placement on the Oñate monument of a plaque or other display indicating that the monument shall be a memorial to Robert E. and Evelyn McKee; and

**WHEREAS**, the Artist and the Board of the XII Travelers Memorial of the Southwest Foundation have acknowledged their agreement to the terms of the proposed pledge from the McKee Foundation;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That, consistent with the terms of Section 2.02 of the November 24, 1992, Commission Agreement, as amended, between the City of El Paso and John Houser, a pledge has been made by the Robert E. and Evelyn McKee Foundation of a total of \$300,000.00, plus an additional amount of up to \$90,000.00 to match other contributions, relating to completion of the Don Juan de Oñate monument, the second in the

series of monuments known as the XII Travelers Memorial. The City acknowledges such pledge and hereby consents to and authorizes placement on the Oñate monument of a plaque or other display indicating that the monument shall be a memorial to Robert E. and Evelyn McKee.

Mayor Carlos M. Ramirez commended Ms. Jody Schwarz, her Committee and City staff for putting this together. He explained that this was a commitment from the Robert E. and Evelyn McKee Foundation to donate a total of \$300,000.00 for the completion of the Don Juan de Oñate monument.

Ms. Jody Schwarz, Board Member of the XII Travelers, explained that the Board is very thrilled with this major donation from the McKee Foundation. She asked that Council recognize the Foundation on the monument base in an appropriate way when the monument is complete. She thanked everyone who has donated to this endeavor.

Mayor Carlos M. Ramirez explained that the City has agreed to placing a plaque on the base of the monument recognizing the McKee Foundation for their most generous donation.

Representative Hernandez thanked Ms. Schwarz and her Committee for their diligent work regarding this monument. She added that once the monument is displayed in Cleveland Square this will bring many tourists to the City.

Representative Sumrall asked what the estimated total cost of this monument is.

Ms. Schwarz replied it is approximately \$1.2 million due to utilizing a foundry in the United States. She expounded on the maquettes, which assist in the funding for the project, each maquette is \$16,000.00, \$11,000 of which is tax deductible.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

## RESOLUTION

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City of El Paso participate as a "protégé community" in the 2001 Brownfields Peer Exchange Program ("the Program") sponsored by the International City/County Management Association ("ICMA") and that the Director of the Department of Economic Development be designated the City's representative for such Program. The City's participation is related to and an extension of the Empowerment Zone Project, for which funding has been made available under the terms of the March 1, 2001 Grant Agreement between the El Paso Empowerment Zone Corporation and the City of El Paso. Pursuant to the Grant Agreement, certain in-kind services are to be provided by the City. The City's commitments under the Program shall include coordination with ICMA staff members and representatives of mentor communities, hosting a site visit, and preparation of evaluation forms regarding the peer exchange experience.

Mayor Carlos M. Ramirez explained that the City has been working very hard to acquire funding regarding the Brownfield Program. He added that this item is the result of the hard work done by the Economic Development Department.

Mr. Roberto Franco, Director of Economic Development, credited Mr. Blake Fry, Grants Coordinator, for making the Economic Development Department aware of this program. He expounded on the 2001 Brownfields Peer Exchange Program.

Representative Medina explained that the Brownfields program has stirred an interest in the business community, corporations and others. He added that this will improve areas of the City which have become blighted.

Representative Sumrall mentioned that the Rio Grande Council of Governments is also involved in the Brownfields program. She mentioned Mr. Sergio Guerrero and his involvement with this program.

Mr. Franco concurred with Representative Sumrall's comments and commented on Mr. Guerrero's activities with this Brownfields program. Mr. Franco mentioned that Mr. Raul Delgado, Mr. John Nance and himself had attended a conference regarding Brownfields Redevelopment recently.

Motion made by Representative Hernandez, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Interlocal Governmental Agreement by and between the City of El Paso and the County of El Paso, a political subdivision of the State of Texas, in conjunction with a Juvenile Justice Accountability Grant from the Office of the Governor, Criminal Justice Division. The City will pass grant funds through to the County to be used towards the cost of the development and establishment of a computer networking system for sharing juvenile offender law enforcement information by the County Attorney, and for the costs of certain residential placement services incurred on or before July 31, 2001 by the Juvenile Probation Department.

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NOTE: The following resolution was originally approved with the Consent Agenda. See motion and discussion which follows.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Engineering Services between the **CITY OF EL PASO** and **Huitt-Zollars, Inc.**, for a project known as **"Skate Board Park"** for an amount not to exceed \$61,657.26.

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to reconsider the above Resolution.

Mayor Carlos M. Ramirez stated that there is a demand for skate board parks around the City. He explained that this item will be an addition to Carolina Park.

Representative Ortega stated that this will be the first skate board park that the City will build. He explained that this skate board park will be approximately 21,000 square feet with railing, lighting, 18 above-ground obstacles, bleachers and shade canopies in the seating areas.

Representative Medina asked where the other skate board parks would be built.

Mr. Charles Nutter, Director of Parks & Recreation, stated that the first skate board park will be built in the Northeast, the second one will be at Carolina Park, and the third will be built in conjunction with the Westside Regional Park, a state-of-the-art skate board park will be built.

Representative Medina explained that he would like to see a skate board park that would bring skate boarding tournaments that might be seen on ESPN and bring El Paso national exposure.

Mr. Tim Folmer, local engineer, stated that he would be a consultant with Huitt-Zollars on the skateboarding projects. He explained that he has been skate boarding for 25 years. He stated that this will be great for the kids to develop their self-confidence and talents. He expounded on the plans to build a cutting edge skate board park similar to those in Albuquerque and other cities.

Representative Sumrall said she hopes that the skate board park to be built at the Westside Regional Park would be quite large.

Representative Sariñana explained that he is trying to form a Committee of young people to extract ideas, suggestions, etc. from them regarding the skate board park.

Mr. Folmer assured Representative Sariñana that there would be young people inputting their ideas, suggestions, etc. to ensure that the skate board parks be quality projects.

Mayor Carlos M. Ramirez recognized and thanked Ms. Lorraine Huitt, Chairperson of the Parks Advisory Board, for her help.

Motion made by Representative Sariñana, seconded by Representative Ortega and unanimously carried to approve the above Resolution.

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\*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute an Annual Report/System Membership Application to continue the El Paso Public Library's membership in the Texas Library System for the upcoming state fiscal year (SFY 2002).

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\*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign the Exhibit Contract with Lucia Martinez covering an exhibition of paintings at the Richard Burges Branch of the El Paso Public Library System for the month of June, 2001. This exhibition is at no cost to the City.

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\*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign the Exhibit Contract with Robert M. Belles covering the exhibition, "Nativity Scene Figures from Around the World," at the Richard Burges Branch of the El Paso Public Library System for the period December, 2001. This exhibition is at no cost to the City.

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## \*RESOLUTION

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor be authorized to sign a consultation grant application and related documents, on behalf of the El Paso Museum of History, for the submission to the National Endowment of Humanities (NEH) for interpretive planning regarding the new El Paso Museum of History in the amount of TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00), and to sign any related contracts and documents should funds be granted. Grant period will be from September 2001 to January 2002. No matching funds required.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit all necessary documents and information and accept a grant award for the City of El Paso Police Department from the U.S. Department of Justice, Bulletproof Vest Partnership Program, for funding in the amount of \$23,100.00 toward the acquisition of 120 bulletproof vests for the Police Department; that the Chief of Police be authorized to submit the grant acceptance on-line; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments to the initial grant agreement which increase, decrease or deobligate program funds, provided that no additional City funds are required, and any documents to request and accept an extension of the award ending date for the grant; City funding for the purchase also required in the amount of \$23,100.00.

## \*RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF EL PASO AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), TO PROVIDE FEDERAL HIGHWAY ADMINISTRATION COST SHARE FUNDING FOR A PROJECT KNOWN AS THE TRAFFIC SIGNAL SYSTEM INTERCONNECT, PHASE VII PROJECT, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, Title 23 United States Code, Section 133 provides that surface transportation programs should be developed and implemented by State transportation agencies with the Federal government providing 80/20 funding for approved projects; and,

WHEREAS, upon application of the City, the Texas Transportation Commission, Texas' Transportation Agency and parent organization of the Texas Department of Transportation (TxDOT), approved the Traffic Signal System Interconnect project consisting of the expansion of existing traffic monitoring equipment and the installation of traffic signal controllers and interconnect conduit, cable and other necessary connection equipment for various city streets in El Paso, Texas; and,

WHEREAS, the City desires to enter into the Local Transportation Project Advance Funding Agreement to obtain the cost-share funding for the Project; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign, on behalf of the City, a Local Transportation Project Advance Funding Agreement for a the Traffic Signal System Interconnect Project in El Paso, Texas. The Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

**\*RESOLUTION**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF EL PASO AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), TO PROVIDE FEDERAL HIGHWAY ADMINISTRATION COST SHARE FUNDING FOR A PROJECT KNOWN AS THE TRAFFIC SIGNAL SYSTEM INTERCONNECT PROJECT, PHASE X, EL PASO, EL PASO COUNTY, TEXAS.**

WHEREAS, Title 23 United States Code, Section 133 provides that surface transportation programs should be developed and implemented by State transportation agencies with the Federal government providing 80/20 funding for approved projects; and,

WHEREAS, upon application of the City, the Texas Transportation Commission, Texas' Transportation Agency and parent organization of the Texas Department of Transportation (TxDOT), approved the Traffic Signal System Interconnect project consisting of the expansion of existing traffic monitoring equipment and the installation of traffic signal controllers and interconnect conduit, cable and other necessary connection equipment for various city streets in El Paso, Texas; and,

WHEREAS, the City desires to enter into the Local Transportation Project Advance Funding Agreement to obtain the cost-share funding for the Project; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign, on behalf of the City, a Local Transportation Project Advance Funding Agreement for a the Traffic Signal System Interconnect Project Phase X in El Paso, Texas. The Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

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**\*RESOLUTION**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF EL PASO AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), TO PROVIDE FEDERAL HIGHWAY ADMINISTRATION COST SHARE FUNDING FOR A PROJECT KNOWN AS THE CENTRAL BUSINESS DISTRICT PHASE III METROPOLITAN MOBILITY PROJECT, EL PASO, EL PASO COUNTY, TEXAS.**

WHEREAS, the Federal government provides 80/20 funding for approved metropolitan mobility projects, which funding comes through the State of Texas to the City; and,

WHEREAS, upon application of the City, the Texas Transportation Commission, parent organization of the Texas Department of Transportation (TxDOT), approved the reconstruction of various downtown city streets in an area known as the Central Business District of El Paso, Texas; and,

WHEREAS, the City desires to enter into the Local Transportation Project Advance Funding Agreement to obtain Federal Highway cost-share funding for the Project; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign, on behalf of the City, a Local Transportation Project Advance Funding Agreement for an STP-Metropolitan Mobility Project known as the Central Business District Phase III

Project in El Paso, Texas. The Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Interlocal Facility Use Agreement between the CITY OF EL PASO and the HOUSING AUTHORITY OF THE CITY OF EL PASO to allow the Parks & Recreation Department to utilize portions of Housing Authority's facilities at the Machuca and Jackie Robinson Complexes for the Club Rec Program.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Amendment to the Professional Services Contract between the **CITY OF EL PASO**, on behalf of the El Paso City-County Health and Environmental District, and **JOSE LUIS ALVAREZ, D.D.S.**, to increase the number of hours Contractor can work to 40 hours per week and the total amount of the contract to \$75,000.00 for FY 2001.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Amendment to the Personal Services Contract for an Independent Contractor between the **CITY OF EL PASO**, on behalf of the El Paso City-County Health and Environmental District, and **MARTHA MIJARES** to extend the time of performance to August 31, 2001 and to increase the total amount of compensation to \$3,900.00.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Joan Huseh for the El Paso Public Library. There is no cost to the City.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a two-year Personal Services Contract in accordance with CSC Charter Article VI, Section 6.6-5, paragraph F, between the City and the following contractor. This contract is subject to the approval of the City's Civil Service Commission.

Jose A. Huertamontoya, MIS, at a biweekly salary of \$2,712.00, to perform duties of Contract Senior Programmer Analyst.

## **\*R E S O L U T I O N**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

#### **AQUATICS**

##### **NO. 010281, SUB-OBJECT 201011**

1. CONTRACTOR: Ailed Arvizu, Lifeguard I, Step 1  
DATES: March 19, 2001, thru September 30, 2001  
RATES PER HR: \$6.00  
CONTRACT NO: 2000/2001-200
2. CONTRACTOR: Anthony Bowler, Swim Instructor I, Step 1  
DATES: March 19, 2001, thru September 30, 2001  
RATES PER HR: \$5.35  
CONTRACT NO: 2000/2001-201
3. CONTRACTOR: Gilbert B. Juarez, Swim Instructor I, Step 1  
DATES: March 19, 2001, thru September 30, 2001  
RATES PER HR: \$5.35  
CONTRACT NO: 2000/2001-202
4. CONTRACTOR: Maria Lourdes Ortiz, Pool Attendant I, Step 2  
DATES: March 19, 2001, thru September 30, 2001  
RATES PER HR: \$5.60  
CONTRACT NO: 2000/2001-203
5. CONTRACTOR: Natalie C. Schaffino, Lifeguard Trainee  
DATES: March 19, 2001, thru September 30, 2001  
RATES PER HR: \$5.25  
CONTRACT NO: 2000/2001-204

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**\*R E S O L U T I O N**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

#### **AQUATICS**

##### **NO. 010281, SUB-OBJECT 201011**

1. CONTRACTOR: Raymundo Arango, Lifeguard Trainee  
DATES: March 21, 2001, thru September 30, 2001  
RATES PER HR: \$5.25  
CONTRACT NO: 2000/2001-205

2. CONTRACTOR: Natalie A. Conejo, Swim Instructor I, Step 1  
DATES: March 19, 2001, thru September 30, 2001  
RATES PER HR: \$5.35  
CONTRACT NO: 2000/2001-206
3. CONTRACTOR: Robert Covington, Lifeguard I, Step 1  
DATES: March 21, 2001, thru September 30, 2001  
RATES PER HR: \$6.00  
CONTRACT NO: 2000/2001-207
4. CONTRACTOR: Raul N. Fernandez, Swim Instructor I, Step 1  
DATES: March 21, 2001, thru September 30, 2001  
RATES PER HR: \$5.35  
CONTRACT NO: 2000/2001-208
5. CONTRACTOR: Ramiro Hernandez, Pool Attendant I, Step 1  
DATES: March 21, 2001, thru September 30, 2001  
RATES PER HR: \$5.40  
CONTRACT NO: 2000/2001-209
6. CONTRACTOR: Adrian J. Herrera, Swim Instructor I, Step 1  
DATES: March 05, 2001, thru September 30, 2001  
RATES PER HR: \$5.35  
CONTRACT NO: 2000/2001-210
7. CONTRACTOR: Carlos Jaime, Swim Instructor I, Step 1  
DATES: March 22, 2001, thru September 30, 2001  
RATES PER HR: \$5.35  
CONTRACT NO: 2000/2001-211
8. CONTRACTOR: Joshua C. Kelly, Swim Instructor I, Step 1  
DATES: March 21, 2001, thru September 30, 2001  
RATES PER HR: \$5.35  
CONTRACT NO: 2000/2001-212
9. CONTRACTOR: Ivory Rodriguez, Lifeguard Trainee  
DATES: March 22, 2001, thru September 30, 2001  
RATES PER HR: \$5.25  
CONTRACT NO: 2000/2001-213
10. CONTRACTOR: Cynthia Valdez, Swim Instructor I, Step 1  
DATES: March 19, 2001, thru September 30, 2001  
RATES PER HR: \$5.35  
CONTRACT NO: 2000/2001-214

.....  
**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**CAROLINA RECREATION CENTER  
NO. 510073, SUB-OBJECT 202214**

1.     CONTRACTOR:     Consuelo Sanchez, Aerobic Instructor  
       DATES:           April 4, 2001, thru May 31, 2001  
       RATE PER CL:    \$10.30  
       MAXIMUM AMT:    \$309.00  
       CONTRACT:       2000/2001-175

.....  
**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the program application letter and release of liability form to allow the Police Department to continue to participate in the Texas Military Surplus and Procurement Program administered by the Criminal Justice Division of the Governor's Office; that the Mayor be authorized to sign and submit law enforcement agency data sheets, on an annual or as needed basis, listing the names of the police officers who will be authorized to screen and select the property to be requested by the Police Department; and that the Chief of Police or his designees be authorized to sign and submit all other forms and documents required by the Program as part of the property acquisition and disposition process.

.....  
**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That values have been set in accordance with the law for the following properties, which are proposed to be acquired for the Borderland Area Street and Drainage Improvements under the Twenty-sixth Year (2000-2001) Community Development Program, and that, having considered relevant facts pursuant to the applicable law, the Council hereby establishes Just Compensation and approves an offer of Just Compensation as follows:

Parcel 2:     Portion of Tract 46-A-2, Nellie D. Mundy Survey No. 241, consisting of 2,753 square feet more or less. (Access Easement)  
              Value: \$1,101.00  
Parcel 3:     Portion of Tract 1B-5, Manuel Gonzalez Survey No. 186 consisting of 2,368 square feet more or less. (Drainage Easement)  
              Value: \$947.00  
Parcel 4:     Portion of State of Texas Right-of-way, within Manuel Gonzalez Survey No. 186, consisting of 406 square feet more or less. (Drainage Easement)  
              Value: \$171.00  
Parcel 5:     Portion of Tract 46-A, and 46-A-1, Nellie D. Mundy Survey No. 241, consisting of 5,044 square feet more or less. (Drainage and Access Easement)  
              Value: \$1,967.00  
Parcel 6:     Portion of Tracts 1B and 1B6, Manuel Gonzalez Survey No. 186, consisting of 276,738 square feet more or less.  
              Value: \$276,738.00

and that the Mayor be authorized to sign Contracts of Sale and Drainage and Access Easement Agreements, as applicable, with the owners of the above-referenced properties.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

## RESOLUTION

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to accept, on behalf of the City of El Paso and the El Paso Zoo, the donation of various plant material to be added to the El Paso Zoo's tropical exhibits. This donation is provided by Kern Plaza Properties, via company representative Mary Dipp. The material is valued, by the El Paso Zoo Horticulturist, at approximately TEN THOUSAND DOLLARS AND 00/100 (\$10,000.00).

Representative Medina recognized the Kern Plaza Properties and Ms. Mary Dipp for their generous donation to the El Paso Zoo.

Ms. Sheryl Garren, horticulturist with the El Paso Zoo, explained that she asked the Dippes if they would donate the various plant material that would have been thrown away due to the destruction of Kern Place Plaza.

Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

\*Motion made, seconded and unanimously carried to approve the acceptance of Montwood Heights Unit 7, (SD00072) as recommended by the City Plan Commission with requirement for sidewalks for all streets within the subdivision.

\*Motion made, seconded and unanimously carried to accept the tested and approved fire hydrants listed below, to provide adequate fire protection to existing and new areas:

| HYDRANT # | LOCATION   |
|-----------|--|
| A. 7727   | North Ridge Drive, 300' ± northwest of Desert Canyon Drive                       |
| B. 7850   | Desert South Blvd., 250' ± south of Redd Road                                    |
| C. 7861   | Robert Acosta Drive, 217' ± south of Jon Cunningham, northwest corner            |
| D. 7862   | Robert Acosta Drive, 105' ± east of Loma Franklin                                |
| E. 7863   | Robert Acosta Drive & Loma Portal Place, northeast corner                        |
| F. 7864   | Robert Acosta Drive, 222' ± west of Alfredo Vasquez Drive                        |
| G. 7882   | Americas Avenue(Loop 375), 250' ± east of Alameda Avenue                         |
| H. 7884   | Plaza Redonda Drive & Plaza Del Sol Court, northeast corner                      |
| I. 7885   | Plaza Central Lane & Helen of Troy Drive, southeast corner                       |
| J. 7886   | Plaza Redonda Drive, 220' ± northeast of Plaza Chica Way                         |
| K. 7893   | San Antonio Street & Paisano Drive, northeast corner                             |
| L. 7895   | Northwestern Drive, 229' north from Rancho Norte                                 |
| M. 7899   | Glenn James Place & Vista del Sol  |
| N. 7900   | Joe Battle Blvd. (Loop 375), @ east entrance to Wal Mart Shopping Center         |
| O. 7901   | Joe Battle Blvd. (Loop 375), 750' north of east entrance to Wal Mart Shpg. Cntr. |
| P. 7939   | Saint Stephen Place, 675' north of Saint Dominic Drive                           |
| Q. 7949   | High Ridge Drive, 435' east of Regal Ridge Drive                                 |
| R. 7953   | Street "A" (south loop), 460' north of Street "B"                                |
| S. 7954   | Street "A" (south loop), 530' northeast of Street "C"                            |
| T. 7955   | Street "A" (north loop), & Street "C", southwest corner                          |
| U. 7959   | Wendy Reed Drive & Paul Lucy Lane, northwest corner                              |
| V. 7960   | Wendy Reed Drive & Loanda Lane, northwest corner                                 |

|     |      |  |
|-----|------|--|
| W.  | 7961 | Kari Anne Drive, 127' east of Loanda Lane                              |
| X.  | 7964 | Street "C", 410' north of Street "B"                                   |
| Y.  | 7965 | Street "B" & Street "A" (north loop), northeast corner                 |
| Z.  | 7966 | Joe Battle (Loop 375), across from Bill Mitchell Drive                 |
| AA. | 8013 | Emerald Gate Lane, 495' south of Stone Gate Lane                       |
| BB. | 8029 | Private Street, 550' west of Gary Lane & 1489' south of Boy Scout Lane |
| CC. | 8031 | 8888 block of Rabe Court, Lot A-8                                      |
| DD. | 8032 | 8888 block of Rabe Court, Lot A-20                                     |
| EE. | 8033 | 8888 block of Rabe Court, Lot A-43                                     |
| FF. | 8034 | 8888 block of Rabe Court, Lot B-28                                     |
| GG. | 8035 | 8888 block of Rabe Court, Lot B-51                                     |
| HH. | 8036 | Greenville Drive, 625' east of Dragon Crest Drive                      |
| II. | 8037 | Greenville Drive, 210' south of Braveheart Avenue, northwest corner    |
| JJ. | 8039 | Braveheart Avenue, 320' east of Dragon Crest Drive                     |
| KK. | 8040 | Braveheart Avenue, 500' west of Greenville Drive                       |
| LL. | 8043 | Willowmist Avenue & Greenville Drive                                   |
| MM. | 8049 | Oasis Drive & Splendor Court, northeast corner                         |
| NN. | 8050 | 11,033 Oasis Drive   |
| OO. | 8058 | Jamaican Palm & Wax Palm, northwest corner                             |
| PP. | 8059 | Jamaican Palm, 60' east of Blue Palm Place                             |
| QQ. | 8060 | Red Palm Place, 254' south of Macaw Palm Drive                         |
| RR. | 8061 | Jamaican Palm Drive, 333' south of Macaw Palm Drive                    |
| SS. | 8062 | Macaw Palm Drive, 150' west of Wax Palm Place                          |
| TT. | 8063 | Macaw Palm Drive & Cave Place, southwest corner                        |

.....  
 \*Motion made, seconded and carried that the following Housing Rehabilitation application be approved in the amount shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue a check in the amount shown below for the approved application.

|                         |                    |
|-------------------------|--------------------|
| H01-03-OL/OG/EC/AG-1206 | Loan: \$12,000.00  |
| Interest 0%             | Grant: \$13,885.00 |
| 10557 Tareyton (24)     | Total: \$25,885.00 |
|                         | Term: 20 years     |

.....  
 \*Motion made, seconded and carried that the following First Time Home Buyer application be approved in the amount shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue a check in the amount shown below for the approved application.

|                       |                   |
|-----------------------|-------------------|
| 01-03-FTHB/HL-0460    | Loan: \$20,000.00 |
| Interest 0%           | Term: 357 months  |
| 1650 Dave Elliot (36) |                   |

.....  
 \*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision:            Rancho Los Mesquites

Street Improvements:

Richardson Drive - from Burgundy Drive to the end of cul-de-sac at Lot 32, Block 1.  
 Senor Tedd Way - from Burgundy Drive to the end of cul-de-sac at Lot 54, Block 1.



Tedd Floyd Lane - from Senor Tedd Way to Richardson Drive.  
Luis Lane - from Senor Tedd Way to the end of cul-de-sac at Lot 29, Block 2.

Drainage Improvements:

Ponding Area - at Lot 37, Block 1; with a 1.26 ac. area and a 8.43 ac-ft. Capacity; 1105.0 ft. x 6.0 ft. high of Rockwall Fence; with an 18.0 ft. Double Swing Gate; 1-Thrust Block Structure; 33.0 ft. of 30.0" of U.F.P.; 1-Junction Box/72.0" Manhole; and 1-13 Grate of Drop Inlet Type III.

15.0 ft. Drainage Easement - at Lot 16, Block 1; 115.50 ft. of 30.0" U.F.P.

.....  
\*Motion made, seconded and unanimously carried to approve the request from Ruben Vargas, of the Airport for Special Sick Leave.

.....  
\*Motion made, seconded and unanimously carried to approve the request from Jorge A. Fonseca of Solid Waste Management, for Special Sick Leave.

.....  
\*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Equipment Maintenance:

|        |   |                            |       |
|--------|---|----------------------------|-------|
| Delete | 1 | Information Entry Operator | GS 12 |
| Add    | 1 | Stores Clerk I             | GS 12 |

.....  
\*Motion made, seconded and unanimously carried to re-appoint Viviana M. Contreras to the Art Museum Advisory Board by Representative Sariñana.

.....  
\*Motion made, seconded and unanimously carried to delete the appointment of Mr. Hector Arrellano to the Citizens Advisory Committee to the Mass Transit Board, by Representative Sariñana. (This item is approved by the Mass Transit Board)

.....  
\*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #0097-999-9013-0000, \$1,219.03 per month installments on a balance of \$6,074.27 for 2000 taxes; Wilson Optical - 8990 Summerford Ln.
- B. PID #H788-003-0180-0020, \$255.74 per month installments on a balance of \$2,069.44 for 2000 taxes; Roberto & Maria D C Yepen - 18002 Carson Dr.
- C. PID #0643-999-8008-0000, \$182.00 per month installments on a balance of \$5,526.21 for 1996, 1997, 1998, 1999 and 2000 taxes; Taylor L. Zimmerman - 303 Texas.
- D. PID #C340-999-1490-0400, \$224.29 per month installments on a balance of \$3,575.31 for 2000 taxes; Joel T. & Devon Y. Culbert - 6132 La Posta Dr.
- E. PID #V887-999-0030-2900, \$173.94 per month installments on a balance of \$2,066.06 for 2000 taxes; Blanca Cardenas - 9894 Isaac.

.....  
\*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Heritage Lincoln Mercury in the amount of \$28,776.39, overpayment of 1999 taxes.  
(PID #1997-999-2723-0034)
- B. Centro Jesan, Inc. in the amount of \$518.03, overpayment of 2000 taxes.  
(PID #2000-999-0639-0042)
- C. NETS Electronic Tax Service in the amount of \$1,369.47, overpayment of 2000 taxes.

- (PID #A642-999-0090-1700)
- D. CET in the amount of \$5,024.93, overpayment of 1999 taxes.  
(PID #B100-000-0002-0001)
- E. Cecilia L. Rayburn, in the amount of \$36,791.83, overpayment of 2000 taxes.  
(PID #C328-999-0040-1000)
- F. Mario & Margarita Limas in the amount of \$1,709.00, overpayment of 2000 taxes.  
(PID #C840-999-0150-5700)
- G. Colonial Mortgage Company in the amount of \$1,152.71, overpayment of 1999 taxes.  
(PID #C840-999-0350-0300)
- H. Joe T. Blackwell in the amount of \$1,061.27, overpayment of 2000 taxes.  
(PID #D047-999-0260-5000)
- I. Stewart Title Company in the amount of \$1,537.80, overpayment of 2000 taxes.  
(PID #E207-999-0320-8100)
- J. Kenneth Malooly in the amount of \$1,245.20 overpayment of 2000 taxes.  
(PID #F607-999-0240-6100)
- K. NETS Electronic Tax Service in the amount of \$1,655.20, overpayment of 2000 taxes.  
(PID #F856-999-0010-9100)
- L. Lawyers Title in the amount of \$1,064.91, overpayment of 2000 taxes.  
(PID #G569-999-0380-5500)
- M. Rodrigo or Alicia V. Chavez in the amount of \$2,306.79, overpayment of 1998 taxes.  
(PID #H788-008-0370-0380)
- N. Juan & Irma A. Alvarez in the amount of \$531.84, overpayment of 2000 taxes.  
(PID #L206-001-0060-0900)
- O. Castro Enterprises, Inc. in the amount of \$14,876.17, overpayment of 2000 taxes.  
(PID #M473-999-0350-0100)
- P. Cutting Edge Productions, Inc. in the amount of \$1,309.36, overpayment of 2000 taxes.  
(PID #M473-999-0510-4900)
- Q. Washington Mutual Home Loans in the amount of \$588.51, overpayment of 2000 taxes.  
(PID #R038-999-0020-0850)
- R. NETS Electronic Tax Service in the amount of \$593.60, overpayment of 2000 taxes.  
(PID #R580-999-0010-0901)
- S. Mario Garcia in the amount of \$1,401.16, overpayment of 2000 taxes.  
(PID #S662-000-0010-1500)
- T. Fleet Mortgage Group in the amount of \$2,963.28, overpayment of 1999 taxes.  
(PID #S812-999-0050-0500)
- U. Jefferson Heritage Bank in the amount of \$3,079.49, overpayment of 2000 taxes.  
(PID #V893-999-3480-0800)
- V. Government Employees Credit Union of El Paso in the amount of \$1,789.02, overpayment of 2000 taxes.  
(PID #V893-999-4620-2300)
- W. Archstone Communities in the amount of \$21,602.21, overpayment of 2000 taxes.  
(PID #W138-999-0030-4900)
- X. Jason Horiuchi in the amount of \$1,753.14, overpayment of 2000 taxes.  
(PID #W145-999-0070-2000)
- Y. Carl T. Hanely in the amount of \$1,902.63, overpayment of 2000 taxes.  
(PID #W145-999-0540-0200)
- Z. Chase Manhattan Mortgage Corp. in the amount of \$735.16, overpayment of 1999 taxes.  
(PID #X579-000-2450-0100)
- AA. Transamerica Real Estate Information in the amount of \$759.85, overpayment of 1999 taxes.  
(PID #X579-000-2450-0100)
- BB. NETS Electronic Tax Service in the amount of \$1,485.57, overpayment of 2000 taxes.  
(PID #X579-999-2410-0200)
- .....

\*Motion made, seconded and unanimously carried to award Bid No. 2001-134 Elevator Shunt-Trip System Installation

Award to: Grinnell Fire Protection, El Paso, TX  
Items: All  
Amount: \$15,582.00  
  
Department: El Paso International Airport  
Funds available: 620003-203121  
Funding source: Airport Enterprise Fund  
Total amount: \$15,582.00

The El Paso International Airport and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, for the furnishing and installation of an Elevator Shunt-Trip System, for the El Paso International Airport.

Vendor does not offer a fast pay discount.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-056 31 Yard Automated Side Load Refuse Trucks

Mayor Carlos M. Ramirez elaborated stating that the City is purchasing 10 additional automated trucks for the automated trash pickup service. He explained that in the year 2002 the entire City would have the automated trash pickup service. He stated that the automated trash pickup service would have been implemented at an earlier date; however, due to a backlog at the factory this was not possible.

Representative Medina asked what the original schedule was for implementing the automated trash pickup service.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that there have been plans and amended plans for various reasons. She explained that there have been various reasons why the plans and amended plans were implemented and approved by City Council. She stated that she would provide a report to Representative Medina.

Mayor Ramirez reiterated that the entire City would have automated trash pickup service by mid-2002. He stated that all Council Members would receive the same report given to Representative Medina.

Representative Sumrall explained the initial intent was that the automated trash pickup service would be implemented in three years; however, due to extenuating circumstances this has not happened.

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to award Bid No. 2001-056 - 31 Yard Automated Side Load Refuse Trucks

Award to: Dallas Peterbilt, LP  
Irving, TX  
Item: 1 - Ten (10) Each  
Optional Items: O1, O6, O9, O10 - Ten (10) Each  
O3 - One (1) Each  
Vendor Options: Ten (10) Each  
Battery Disconnect Switch @ \$69.00 Each

Solid State Flasher @ \$25.00 Each  
Diamond Tread Plate Floor Rubber Mat @ \$20.00 Each  
Amount: \$1,566,980.00

NOTE:

- (1) Recommended vendor submitted five (5) separate offers. "Bid No. 1 of 5", consisting of a Peterbilt 320 Cab & Chassis, with a McNeilus 31 yd. Autoreach side loader body, is being recommended for award.
- (2) Action will be taken on Items A3 and A4 (Purchase of Additional Quantities) at a later date.

Department: Solid Waste Management  
Funds available: 250201-208029-MB0002-160  
Funding source: FY2001 Certificates of Obligation  
Total amount: \$1,566,980.00

The Solid Waste, Equipment Maintenance, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase ten (10) 31 Yard Automated Side Load Refuse Trucks. There is also an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount is offered.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-101 Mobile Spay and Neuter Clinic

Representative Sumrall explained that she is on the City/County Animal Shelter Board and is delighted that this item has finally come forward. She pointed out that this Council is very proactive in dealing with the uncontrolled animal population. She asked what would be done regarding staffing and furnishing this mobile unit. She wondered if, by State Law, a licensed veterinarian would be appointed to provide the spaying and neutering services or whether someone with a certification could perform these operations. Representative Sumrall asked Monica D. Cunningham, Chief Administrative Officer, whether the City has asked for volunteer veterinarians.

Mr. Byron Johnson, Director of Purchasing, explained that the bid award today has a 120 day delivery and then a 60 day unit check. He explained that the Health Department could address the staffing question.

Mr. Gilbert Gutierrez, Public Health Administrator, explained that a veterinarian must perform these procedures.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that the City has spoken with the Veterinarian Association regarding this program and other programs. She stated that no firm commitments have been received as of yet. Ms. Cunningham explained that the City's CFO, Mr. Bill Chapman, will bill the County for this.

Mayor Carlos M. Ramirez explained that this is a commitment of this Administration to help in solving the overpopulation of animals. He made comments regarding the new Animal Shelter and the County. He asked that pet owners be responsible and spay and neuter their pets.

Representative Hernandez asked how many animals would be serviced a day.

Mr. Gutierrez would provide that information to Representative Hernandez.

Motion made by Representative Sumrall, seconded by Representative Ortega and unanimously carried to award Bid No. 2001-101 Mobile Spay and Neuter Clinic

Award to: Recreation USA  
Las Cruces, NM  
Item: 1 with Optional Items O1 and O2  
Amount: \$115,869.00  
  
Department: Health  
Funds available: 250201-208006-MB0002-130  
Funding source: FY2001 Certificates of Obligation  
Total amount: \$115,869.00

The Equipment Maintenance, Health, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. A lower bid was received but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Mobile Spay and Neuter Clinic. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days, from the date of award of the contract. No prompt payment discount is offered.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2001- 121 Repair Service, Auto Radiator & Tanks

Award to: Vendor (1) Border Radiator  
El Paso, Texas  
Item: Part I, Group II, III, IV, V, & VI, Part II  
Amount: \$30,000.00 (estimated annually)  
  
Vendor (2) Emmett Radiator Service, Inc.  
El Paso, Texas  
Item: Part I, Group I  
Amount: \$15,000.00 (estimated annually)  
  
Department: Equipment Maintenance  
Funds available: 370510-203121 & 370510-203125  
Funding Source: Equipment Maintenance Internal Service Fund  
Total Amount: \$45,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 offers the City the option to extend the term of the contract for two (2) additional years, at the same unit prices, if the option is exercised within two (2) years from the date of the award.

Vendor #2 offers the City a prompt payment discount of 2% 10 days

This is a Requirements Type Contract with an initial term of THIRTY SIX(36) months.

.....

\*Motion made, seconded and unanimously carried to award Bid No. 2001-129 Sandbagging Machine "Rebid"

Award to: The Bag Lady, Inc.  
Puyallup, WA  
Item: 1  
Amount: \$23,000.00  
(\$22,540.00 with prompt payment discount)  
  
Department: Street  
Funds available: 102009-208008-540009  
Funding source: FY1999 Contractual Obligations  
Total amount: \$23,000.00

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. A lower bid was received but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Sandbagging Machine. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. A prompt payment discount of 2% is offered if payment is made within 10 days.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2001-139 17,500 GVW Flat Bed Trucks

Award to: Casa Ford  
El Paso, TX  
Item(s): 1 (2 each)  
1 each with Optional Items O1, O8, O11 (Fire)  
1 each with Optional Items O3, O4, O5, O6, O9 (Parks)  
Amount: \$74,190.00  
  
Department: Fire and Parks  
Funds available: 250201-208006-MB0002-130 (\$36,505.00)  
102009-208006-540009 (\$37,685.00)  
Funding source: FY2001 Certificates of Obligation  
FY1999 Contractual Obligations  
Total amount: \$74,190.00

The Equipment Maintenance, Fire, Parks, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase two (2) Flat Bed Trucks.

There is no option to purchase additional quantities. No prompt payment discount is offered.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2001-107

Project: Northeast Municipal Annex Crimes Against Children Division Addition  
Contractor: Acosta Engineering Company  
El Paso, Texas

Department: Police  
 Funds Available: 114001-501328-208027  
 Funding Source: C.O.'s  
 Base Bid: \$324,500.00  
 Total Award: \$324,500.00

The Purchasing Department recommends the award of this contract to Acosta Engineering Company, the low responsible, responsive bidder. .Additionally, it is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid: \$324,500.00  
 Total Recommended Award: \$324,500.00

.....  
 \*Motion made, seconded and unanimously carried to award RFP No. 2001-104R - Advanced Countersurveillance Detection System

Award to: Research Electronics Int'l LLC  
           Cookeville, Tennessee  
 Proposal: Advanced Countersurveillance Detection System  
 Amount: \$18,763.00

Department: Police  
 Funds Available: HIDTAGrant Index 150040 / 219909-208007  
 Funding Source: HIDTA Grant  
 Award: \$18,763.00

Purchasing and Police recommend award to the Research Electronics Int'l. They are the sole, responsive and responsible proposer.

This is a proposal for an Advanced Countersurveillance Detection System for the Police Department.

.....  
 \*Motion made, seconded and unanimously carried to award RFP No. 2001-130R - Food Concession for Police Headquarters

Award to: Texas Commission for the Blind Business Enterprises of Texas  
 Proposal: Daily Food Concession  
 Amount: 3% up to \$7,000.00 Gross Profit  
           4% over \$7,000.00 Gross Profit

Department: Police  
 Funds Available: Revenue Contract  
 Funding Source: Revenue Contract

Award: Revenue Contract

Purchasing and Police recommend award to the Texas Commission for the Blind. They are the sole proposer. This is a revenue, concession contract.

This is a proposal for the daily food concession at Police Headquarters. This contract is for a five (5) year time period with the option for an additional five (5) year period. Contract to start May 1, 2001.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the request that City Council approve The Chase Manhattan Bank as the City's depository.

Additionally, it is requested that City Council be authorized to review and the Mayor be authorized to execute any related contract documents including signatories authorizations. City's designated officer for this contract is Wendy Hebestreit, Comptroller.

Mayor Carlos M. Ramirez explained that this was done in accordance with State Law. The City solicited a Request for Proposals, received the information, an analysis was made and a selection was made as to who would provide the best services overall.

Representative Sumrall explained that there were three applicants and noted the monetary differences of the other two applicants. She noted that this was a competitive process.

Representatives Ortega, Cook, Medina and Escobar commented.

Mr. Bill Chapman, Chief Financial Officer, responded accordingly.

Mayor Carlos M. Ramirez explained that the City is extremely efficient and careful with all taxpayers dollars through the CFO and his staff. It was requested to revise the sentence, "This contract will start May 1, 2001 and is a twenty-four (24) month contract" to read as follows: "This contract will start May 1, 2001 and will end January 15, 2003."

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to approve The Chase Manhattan Bank as the City's depository with the revised contract ending date.

Additionally, that City Council be authorized to review and the Mayor be authorized to execute any related contract documents including signatories authorizations. City's designated officer for this contract is Wendy Hebestreit, Comptroller.

This contract will start May 1, 2001 and will end January 15, 2003.

The City solicited applications for a depository and three (3) responses were received. The recommended award is to the company that was evaluated to have the best proposed service and rates as detailed in their response. The reasons for recommendation are as noted in the backup.

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-390 PUBLIC WORKS

Public Works proposes to appropriate \$500,000 for Westside Regional Library Branch. Funding source is 2000 Authorization for Quality of Life Projects.



|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$500,000 | to | 130512/PW0056001/107020 | Bond Proceeds |
| Increase | \$250,000 | to | 130512/PW0056001/208000 | Land          |
| Increase | \$237,500 | to | 130512/PW0056001/208050 | Design        |
| Increase | \$ 12,500 | to | 130512/PW0056001/208051 | Program Mgmt  |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-391 PUBLIC WORKS

Public Works proposes to appropriate \$300,000 for land acquisition of Ranchos Del Sol #2. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$300,000 | to | 130500/PW0046013/107020 | Bond Proceeds |
| Increase | \$300,000 | to | 130500/PW0046013/208000 | Land          |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-392 PUBLIC WORKS

Public Works proposes to appropriate \$700,000 for Main Library Renovation. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$700,000 | to | 130512/PW0056002/107020 | Bond Proceeds |
| Increase | \$682,500 | to | 130512/PW0056002/208050 | Design        |
| Increase | \$ 17,500 | to | 130512/PW0056002/208051 | Program Mgmt  |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-393 PUBLIC WORKS

Public Works proposes to appropriate \$550,000 for Books and Library Materials. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$550,000 | to | 130513/PW0056003/107020 | Bond Proceeds |
| Increase | \$550,000 | to | 130513/PW0056003/208039 | Books/Hard    |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-394 PUBLIC WORKS

Public Works proposes to appropriate \$192,000 for design of Lomaland Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$192,000 | to | 130500/PW0046014/107020 | Bond Proceeds |
| Increase | \$ 1,000  | to | 130500/PW0046014/208026 | Inspection    |
| Increase | \$170,000 | to | 130500/PW0046014/208027 | Construction  |
| Increase | \$ 19,000 | to | 130500/PW0046014/208050 | Design        |
| Increase | \$ 2,000  | to | 130500/PW0046014/208051 | Program Mgmt  |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-395 PUBLIC WORKS

Public Works proposes to appropriate \$635,000 for Library Automation Services. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |                 |
|----------|-----------|----|-------------------------|-----------------|
| Increase | \$635,000 | to | 130512/PW0056004/107020 | Bond Proceeds   |
| Increase | \$635,000 | to | 130512/PW0056004/208010 | Data Proc Equip |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-396 PUBL' WORKS

Public Works proposes to appropriate \$70,000 for design of Marwood Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$70,000 | to | 130500/PW0046015/107020 | Bond Proceeds |
| Increase | \$68,250 | to | 130500/PW0046015/208050 | Design        |
| Increase | \$ 1,750 | to | 130500/PW0046015/208051 | Program Mgmt  |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-397 PUBLIC WORKS

Public Works proposes to appropriate \$30,000 for design of Mission Hills Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$30,000 | to | 130500/PW0046001/107020 | Bond Proceeds |
| Increase | \$29,250 | to | 130500/PW0046001/208050 | Design        |
| Increase | \$ 750   | to | 130500/PW0046001/208051 | Program Mgmt  |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-398 PUBLIC WORKS

Public Works proposes to appropriate \$300,000 for land acquisition of Westside Regional Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$300,000 | to | 130500/PW0046016/107020 | Bond Proceeds |
| Increase | \$300,000 | to | 130500/PW0046016/208000 | Land          |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-399 PUBLIC WORKS

Public Works proposes to appropriate \$300,000 for design of Nations Tobin Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$300,000 | to | 130500/PW0046002/107020 | Bond Proceeds |
| Increase | \$292,500 | to | 130500/PW0046002/208050 | Design        |
| Increase | \$ 7,500  | to | 130500/PW0046002/208051 | Program Mgmt  |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-400 PUBLIC WORKS

Public Works proposes to appropriate \$60,000 for design of Ponder Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$60,000 | to | 130500/PW0046017/107020 | Bond Proceeds |
| Increase | \$58,500 | to | 130500/PW0046017/208050 | Design        |
| Increase | \$ 1,500 | to | 130500/PW0046017/208051 | Program Mgmt  |

52

\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-401 PUBLIC WORKS

Public Works proposes to appropriate \$40,000 for design of Hidden Valley Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$40,000 | to | 130500/PW0046003/107020 | Bond Proceeds |
| Increase | \$39,000 | to | 130500/PW0046003/208050 | Design        |
| Increase | \$ 1,000 | to | 130500/PW0046003/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-402 PUBLIC WORKS

Public Works proposes to appropriate \$203,000 for design of Crestmont Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$203,000 | to | 130500/PW0046018/107020 | Bond Proceeds |
| Increase | \$ 1,000  | to | 130500/PW0046018/208026 | Inspection    |
| Increase | \$180,000 | to | 130500/PW0046018/208027 | Construction  |
| Increase | \$ 20,000 | to | 130500/PW0046018/208050 | Design        |
| Increase | \$ 2,000  | to | 130500/PW0046018/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-403 PUBLIC WORKS

Public Works proposes to appropriate \$350,000 for land acquisition of Northeast Regional Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$350,000 | to | 130500/PW0046004/107020 | Bond Proceeds |
| Increase | \$350,000 | to | 130500/PW0046004/208000 | Land          |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-404 PUBLIC WORKS

Public Works proposes to appropriate \$30,000 for design of Paul Harvey Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$30,000 | to | 130500/PW0046019/107020 | Bond Proceeds |
| Increase | \$29,250 | to | 130500/PW0046019/208050 | Design        |
| Increase | \$ 750   | to | 130500/PW0046019/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-405 PUBLIC WORKS

Public Works proposes to appropriate \$70,000 for design of Vista Del Valle & Multipurpose Center. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$70,000 | to | 130500/PW0046005/107020 | Bond Proceeds |
| Increase | \$68,250 | to | 130500/PW0046005/208050 | Design        |
| Increase | \$ 1,750 | to | 130500/PW0046005/208051 | Program Mgmt  |

.....

\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-406 PUBLIC WORKS

Public Works proposes to appropriate \$1,000,000 for land acquisition and design of Rio Grande River Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |             |    |                         |               |
|----------|-------------|----|-------------------------|---------------|
| Increase | \$1,000,000 | to | 130500/PW0046020/107020 | Bond Proceeds |
| Increase | \$ 500,000  | to | 130500/PW0046020/208000 | Land          |
| Increase | \$ 475,000  | to | 130500/PW0046020/208050 | Design        |
| Increase | \$ 25,000   | to | 130500/PW0046020/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-407 PUBLIC WORKS

Public Works proposes to appropriate \$25,000 for design of Marion Manor Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$25,000 | to | 130500/PW0046006/107020 | Bond Proceeds |
| Increase | \$24,375 | to | 130500/PW0046006/208050 | Design        |
| Increase | \$ 625   | to | 130500/PW0046006/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-408 PUBLIC WORKS

Public Works proposes to appropriate \$90,000 for design of Sunridge Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$90,000 | to | 130500/PW0046021/107020 | Bond Proceeds |
| Increase | \$87,750 | to | 130500/PW0046021/208050 | Design        |
| Increase | \$ 2,250 | to | 130500/PW0046021/208051 | Program Mgmt  |

.....  
Motion made, seconded and unanimously carried to move to the regular agenda BT2001-409 PUBLIC WORKS

Representative Sariñana questioned whether Travis White Park was in the first year. He asked Ms. Terry Quezada, Program Manager, Public Works Department, why the construction money was not shown.

Mr. Charles Nutter, Director of Parks & Recreation, explained that the contract for design has been awarded and as soon as the design is finished, then the budget transfer will take place for construction. Ms. Quezada explained that for the first year 2001 Bond Projects included the majority of design. She explained the process for the first year projects and financial expenditures.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to approve Budget Transfer BT2001-409 PUBLIC WORKS

Public Works proposes to appropriate \$50,000 for design of Travis White Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$50,000 | to | 130500/PW0046007/107020 | Bond Proceeds |
| Increase | \$48,750 | to | 130500/PW0046007/208050 | Design        |
| Increase | \$ 1,250 | to | 130500/PW0046007/208051 | Program Mgmt  |

Representative Ortega was not present for the vote.

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-410 PUBLIC WORKS

Public Works proposes to appropriate \$30,000 for design of Zaragoza Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$30,000 | to | 130500/PW0046022/107020 | Bond Proceeds |
| Increase | \$29,250 | to | 130500/PW0046022/208050 | Design        |
| Increase | \$ 750   | to | 130500/PW0046022/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-411 PUBLIC WORKS

Public Works proposes to appropriate \$100,000 for design of Cleveland Square. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$100,000 | to | 130500/PW0046008/107020 | Bond Proceeds |
| Increase | \$ 50,000 | to | 130500/PW0046008/208027 | Construction  |
| Increase | \$ 47,500 | to | 130500/PW0046008/208050 | Design        |
| Increase | \$ 2,500  | to | 130500/PW0046008/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-412 PUBLIC WORKS

Public Works proposes to appropriate \$500,000 for design of Blackie Chesher Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$500,000 | to | 130500/PW0046023/107020 | Bond Proceeds |
| Increase | \$487,500 | to | 130500/PW0046023/208050 | Design        |
| Increase | \$ 12,500 | to | 130500/PW0046023/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-413 PUBLIC WORKS

Public Works proposes to appropriate \$2,700,000 for design and construction of Marine Mammal Exhibit. Funding source is 2000 Authorization for Quality of Life Projects.

|          |             |    |                         |               |
|----------|-------------|----|-------------------------|---------------|
| Increase | \$2,700,000 | to | 130514/PW0057001/107020 | Bond Proceeds |
| Increase | \$ 54,000   | to | 130514/PW0057001/208024 | Testing       |
| Increase | \$ 54,000   | to | 130514/PW0057001/208026 | Inspection    |
| Increase | \$2,565,000 | to | 130514/PW0057001/208027 | Construction  |
| Increase | \$ 27,000   | to | 130514/PW0057001/208051 | Program Mgmt  |

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-414 PUBLIC WORKS

Public Works proposes to appropriate \$250,000 for relocation of Washington Sr. Center. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$250,000 | to | 130514/PW0057002/107020 | Bond Proceeds |
| Increase | \$243,750 | to | 130514/PW0057002/208050 | Design        |
| Increase | \$ 6,250  | to | 130514/PW0057002/208051 | Program Mgmt  |

.....  
 Motion made, seconded and unanimously carried to approve budget transfer BT2001-415 PUBLIC WORKS.

Public Works proposes to appropriate \$100,000 for design of Westside Community Valley Creek Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$100,000 | to | 130500/PW0046009/107020 | Bond Proceeds |
| Increase | \$ 97,500 | to | 130500/PW0046009/208050 | Design        |
| Increase | \$ 2,500  | to | 130500/PW0046009/208051 | Program Mgmt  |

Motion was revised to read "Westside Community Valley Creek Park".

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-416 PUBLIC WORKS

Public Works proposes to appropriate \$200,000 for design of new pool at Delta site. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$200,000 | to | 130514/PW0057003/107020 | Bond Proceeds |
| Increase | \$195,000 | to | 130514/PW0057003/208050 | Design        |
| Increase | \$ 5,000  | to | 130514/PW0057003/208051 | Program Mgmt  |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-417 PUBLIC WORKS

Public Works proposes to appropriate \$51,000 for design of Normandy Park. Funding source is 2000 Authorization for Quality of Life Projects.

|          |          |    |                         |               |
|----------|----------|----|-------------------------|---------------|
| Increase | \$51,000 | to | 130500/PW0046010/107020 | Bond Proceeds |
| Increase | \$ 500   | to | 130500/PW0046010/208026 | Inspection    |
| Increase | \$45,000 | to | 130500/PW0046010/208027 | Construction  |
| Increase | \$ 5,000 | to | 130500/PW0046010/208050 | Design        |
| Increase | \$ 500   | to | 130500/PW0046010/208051 | Program Mgmt  |

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-418 PUBLIC WORKS

Public Works proposes to appropriate \$500,000 for new History Museum. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$500,000 | to | 130515/PW0058001/107020 | Bond Proceeds |
| Increase | \$487,500 | to | 130515/PW0058001/208050 | Design        |
| Increase | \$ 12,500 | to | 130515/PW0058001/208051 | Program Mgmt  |

.....  
 NOTE: The following item was originally approved with the Consent Agenda.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to reconsider budget change BT2001-419 PUBLIC WORKS

Public Works proposes to appropriate \$200,000 for design of Cohen Stadium-Canopy. Funding source is 2000 Authorization for Quality of Life Projects.

Representative Medina explained that he would like this item reconsidered so that he could vote no.

Motion made by Representative Cook, seconded by Representative Sumrall and carried to approve budget transfer BT2001-419 PUBLIC WORKS

Public Works proposes to appropriate \$200,000 for design of Cohen Stadium-Canopy. Funding source is 2000 Authorization for Quality of Life Projects.

|          |           |    |                         |               |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$200,000 | to | 130500/PW0046012/107020 | Bond Proceeds |
| Increase | \$195,000 | to | 130500/PW0046012/208050 | Design        |
| Increase | \$ 5,000  | to | 130500/PW0046012/208051 | Program Mgmt  |

Representative Medina voted No.

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-427 COMMUNITY DEVELOPMENT

This budget transfer will provide adequate funding to cover the CD portion of the North Loop Gardens No. 1, Phase II project, to include the contingency amount.

|          |             |      |                          |              |
|----------|-------------|------|--------------------------|--------------|
| Decrease | \$63,937.63 | from | 150047/7126CD0002/208027 | Construction |
| Increase | \$51,797.55 | to   | 150000/7125CD1148/208027 | Construction |
| Increase | \$12,000.00 | to   | 150000/7125CD1148/208026 | Inspection   |
| Increase | \$ 140.08   | to   | 150000/7125CD1148/202302 | Print Shop   |

.....  
\*Motion made, seconded and unanimously carried to approve the request of The Border Run to hold a motorcycle parade on May 5, 2001 from 1:00 p.m. to 1:30 p.m. Route: Start at Pebble Hills and Lee Trevino, south under Interstate 10, right on Burnham, and into the backlot of Barnett Harley Davidson. Approximately 2,000 persons and 1,500 motorcycles will take part and 300 spectators are anticipated. PERMIT NO. 01-021

.....  
\*Motion made, seconded and unanimously carried to approve the request of City of El Paso Parks & Recreation Department to hold a bike race (El Paso Senior Games) on April 18, 2001 from 9:00 a.m. to 10:30 a.m. Route: Start at Sunset and River Bend, proceed on River Bend to Frontera, back on River Bend\_and finish at Sunset. Approximately 30 persons will take part and 10 spectators are anticipated. PERMIT NO. 01-031

.....  
\*Motion made, seconded and unanimously carried to approve the request of City of El Paso Parks & Recreation Department to hold 10k foot race (Senior Games) on April 29, 2001 from 8:00 a.m. to 11:00 a.m. Route: Start around Marwood Park, right to Sussex, right to Perth, right to River Bend, left to Sunset, right to Vista del Monte, right to Camino Real, left to Montoya, left to Meadowlark, left to Vista del Monte and return on same route to Marwood Park. Approximately 30 persons and 2 automobiles will take part and 10 spectators are anticipated. PERMIT NO. 01-030.  
.....

Representative Sumrall questioned the applicant's authorization for the street department to clean up aft him.

Mr. Alonso Flores, Director of the Operations of the El Paso Central Business Association, explained that this was part of the Heritage Week Festivities. He explained that Mr. John Sanchez is with Hoy-Fox, who is a sponsor of this parade. Mr. Flores handed out information for the Council Members to peruse.

Representative Ortega was not present for the vote.

\*Motion made, seconded and unanimously carried to approve the request of Juan Lucero/World Victory Center to use amplification (PA system, 2 microphones, 2 speakers) at Nations Tobin Park on April 14 2001 from 10:00 a.m. to 4:00 p.m. Approximately 20 persons will use amplification and 300 spectators are anticipated. PERMIT NO. 01-029.

\*Motion made, seconded and unanimously carried to approve the request of St. Patrick Cathedral to hold a Via Crucis Procession on April 13, 2001 from 9:00 a.m. to 1:00 p.m. Route: Start at 408 S. Park, Fr. Rahm, S. Oregon, Sixth, El Paso, Third, Santa Fe, Paisano, Campbell, Mills, Mesa, Rio Grande, Stanton. Approximately 500 persons and one van will take part. This request includes permission to use amplification (1 amplifier). PERMIT NO. 01-033

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A SPECIAL WARRANTY DEED CONVEYING TO ARK INVESTMENTS THE WEST 24 FEET OF LOT 21, ALL OF LOT 22 AND THE EAST ½ OF LOT 23, BLOCK 41, EAST EL PASO ADDITION, EL PASO, EL PASO COUNTY, TEXAS AND ADDRESSED AS 3612 GATEWAY EAST, EL PASO, TEXAS.**

REGULAR COUNCIL MEETING - APRIL 10, 2001

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AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Ortega was not present for the vote.

ORDINANCE 14808

The City Clerk read an Ordinance entitled: **AN ORDINANCE PARTIALLY VACATING A PORTION OF A 100 FOOT WIDE EASEMENT LOCATED WITHIN LOT 3, BLOCK 340C, VISTA DEL SOL UNIT 69, REPLAT D, CITY OF EL PASO, EL PASO COUNTY, TEXAS (EAST OF GEORGE DIETER DRIVE AND SOUTH OF ESTHER LAMA DRIVE).**

Motion duly made by Representative Escobar, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Escobar, Sariñana and Hernandez

NAYS: None Absent: Council Member Ortega

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Ortega was not present for the remainder of the meeting.

ORDINANCE 14809

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING CORONADO BAPTIST CHURCH TO USE A PORTION OF FRANK DELGADO PARK FROM 12:00 PM UNTIL 2:00 PM ON APRIL 14, 2001**

Representative Sumrall asked if this was open to the public or just for the church members.

Mr. Charles Nutter, Director of Parks & Recreation, explained that it was closed for the church membership.

Motion duly made by Representative Sumrall, seconded by Representative Hernandez that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Escobar, Sariñana and Hernandez

NAYS: None Absent: Council Member Ortega

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

4415

ORDINANCE 14810

The City Clerk read an Ordinance entitled: **AN ORDINANCE PARTIALLY VACATING A PORTION OF FRUTAS AVENUE ABUTTING BLOCKS 3 ½ AND 4, LEE H. ORNDORFF'S SUBDIVISION OF A PORTION OF WOODLAWN ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Representative Medina asked what this was in regard to.

Mr. Rudy Valdez, Chief Urban Planner, explained that this was a request by US Sprint to build a facility next to Frutas.

Ms. Cynthia Tim, US Sprint representative, explained that this is an expansion of the POP (point of presence) facility. She stated that this is not for an antenna, but rather a small building.

Motion duly made by Representative Medina, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Escobar, Sariñana and Hernandez

NAYS: None Absent: Council Member Ortega

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14811

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE CENTRAL BUSINESS ASSOCIATION OF EL PASO, INC., TO PERMIT TEMPORARY SIDEWALK VENDING FOR PARTICIPATING MERCHANTS WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY IN DOWNTOWN EL PASO FROM APRIL 11, 2001 THROUGH DECEMBER 31, 2001**

Motion duly made by Representative Hernandez, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Escobar, Sariñana and Hernandez

NAYS: None Absent: Council Member Ortega

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14812

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A SPECIAL WARRANTY DEED CONVEYING TO BASHAR ABUGALYON, A PORTION OF LOT 11, BLOCK 79, CORONADO HILLS UNIT #8, EL PASO, EL PASO COUNTY, TEXAS AND ADDRESSED AS 846 DE LEON DRIVE. MR. ABUGALYON WAS THE HIGH BIDDER (\$42,001.25) ON THE SALE OF THE PROPERTY TO THE PUBLIC.**

4/10/01





**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the Agreement between the City of El Paso and JNC Land Co., a Texas Corporation that provides for the following:

1. Dedication of a 2.019 acre tract of land within a portions of Lots 4, 5, 10 and 11, Block 1, Hueco View Acres, City of El Paso, El Paso County, Texas, to be used for park purposes.
2. A park land credit of 2.019 acres for land dedication which may be applied toward any subsequent park land requirement within Park Zone 406 of the Park Zone Map of the City of El Paso or as provided in Section 19.12.085 of the City of El Paso's Subdivision Ordinance.

Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....  
Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to move to the forefront the following Resolution. At this point in the meeting Representative Ortega was still in attendance. Representative Medina was not present to vote on this particular motion.

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Sun Ridge Park to "SAL BERROTERAN PARK".

Mr. Charles Nutter, Director of Parks & Recreation, explained that the Parks & Recreation Park Renaming Committee reviewed and approved this renaming.

Representative Ortega explained that this park has not yet been built and this will honor Mr. Berroteran while he is still alive.

Mr. Sal Berroteran thanked Council Members for this honor. He explained that he was previously a City Alderman many years ago.

Mayor Carlos M. Ramirez thanked Mr. Berroteran for his contributions to the City of El Paso and the Community.

Representative Medina concurred with Council Members stating that it is important to recognize individuals while they are still alive. He added that it is important to honor the local people who are the real heroes of the Community.

Representative Hernandez thanked Mr. Berroteran for his years of service to the Community.

Representative Sumrall stated that when she first came to Council, Mr. Berroteran's name was mentioned to her as an example to follow.

Representative Ortega made final comments.

Motion made by Representative Ortega, seconded by Representative Medina and unanimously carried to approve the above Resolution.

Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to move to the forefront the following Resolution. At this point in the meeting Representative Ortega was still in attendance. Representative Medina was not present to vote on this particular motion.

## RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Missouri Recreation Center to "LEONA FORD WASHINGTON RECREATION CENTER".

Mr. Charles Nutter, Director of Parks & Recreation , explained that the Parks & Recreation Advisory Committee met at the recreation center and over 500 names were submitted on the petition for the name change.

Representative Hernandez stated that it is an honor for her to have this renaming for Ms. Washington. She explained that Ms. Washington has put many, many hours into her Community.

Mr. Dusty Rhodes stated that he first met Ms. Washington 44 years ago. He expounded on Ms. Washington's virtues. He stated that she is a model for proper decorum and for community involvement and he is thrilled that Council has renamed this Center in her honor.

Ms. Leona Ford Washington stated that this is really an honor and stated that we are servants because we serve. She added that she is indebted to Ms. Hernandez, the Parks Board and Council for this honor. She said she remains available to make this City the best it can be.

Mayor stated that the heart and soul of this Recreation Center is Ms. Leona Ford Washington.

Ms. Washington recognized her brother, Roland Ford, Reverend James Larry Williams and her former Pastor, Reverend John Redic.

Reverend Redic thanked Council for honoring Ms. Washington. Mr. Roland Ford thanked Council Members for honoring his sister.

Motion made by Representative Hernandez, seconded by Representative Ortega and unanimously carried to approve the above Resolution.

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## RESOLUTION

**WHEREAS**, Mr. Luis Jimenez is the artist who created the sculpture known as "Vaquero" and owns the copyright to such work and has expressly given Southwestern Bell Corporation permission to reproduce such work, as evidenced by the executed reproduction authorization form attached hereto and incorporated herein as Exhibit "A"; and (Exhibit on file with this Resolution in the City Clerk's office)

**WHEREAS**, Mr. Frank Ribelin is the owner of "Vaquero," and has also expressly given Southwestern Bell Corporation permission to reproduce such work, as evidenced by the executed reproduction authorization form attached hereto and incorporated herein as Exhibit "B"; and (Exhibit on file with this Resolution in the City Clerk's office)

**WHEREAS**, "Vaquero" is on loan to the El Paso Museum of Art, which is in possession of such work and has secured the executed authorization forms noted above; and

4/10/01

**WHEREAS**, Southwestern Bell Corporation wishes to place a reproduction of "Vaquero" on the cover of their forthcoming May 2001-2002 Yellow Pages;

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:**

**THAT** the Southwestern Bell Corporation be authorized to reproduce, through photographic means, the work of Luis Jimenez entitled "Vaquero" for the cover of the May 2001-2002 Southwestern Bell Yellow Pages.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....  
Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to reject Bid No. 2001-122: Security Camera Systems as recommended by Purchasing and the El Paso Police Department.

This solicitation will be rebid with revised contract clauses.

.....  
No action was taken regarding the discussion of:

1. Call for resignation of Chief Carlos Leon as Chief;
2. Force City to change improper Municipal Court Seal;
3. Assurance from City Council that the traffic citations are in compliance with state law; and
4. Stop police road blocks and check points (Leeland O. White, Candidate for Mayor)

Mr. Leeland O. White, Candidate for Mayor, discussed with Council Members his concerns regarding the above items. He presented documents for the Legal Department for review.

Captain Mike Gill, El Paso Police Department, explained that the roadblocks are constitutional as per the Texas Transportation Code.

Representative Sumrall asked Captain Gill to clarify comments he made regarding stopping a driver with a driver's license.

Captain Gill explained that an officer can stop an individual driving a motor vehicle to determine whether the individual has a driver's license.

Representative Medina commented on the issue of roadblocks and checkpoints. He stated that these issues have been taken all the way to the Supreme Court. He asked a question regarding changing the Municipal Court Seal.

Ms. Richarda Momsen, Municipal Court Clerk, explained that she will be happy to look into the issue regarding the Seal and make the appropriate changes as required.

Mr. White made additional comments regarding the roadblocks and checkpoints and the Municipal Court Seal. Mr. White gave documentation to Ms. Elaine Hengen, Assistant City Attorney, for review.

.....  
\*Motion made, seconded and unanimously carried to delete the discussion and action on the enforcement or lack of enforcement on the ethics rules or law as it pertains to Richard S. Balliet's complaint filed November 9, 1999 against City Representative Elvia Hernandez. (Richard S. Balliet)  
.....

Motion made by Representative Sariñana, seconded by Representative Hernandez and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.040 (Schedule IV - Parking prohibited on certain hours on certain street) Paragraph 12.88.040 (J) (No Parking, 7:00 A.M. to 4:00 P.M.) to add a new location at La Subida Drive, from Monte Mar Place to a point 114 feet west of Andalucia Drive thereof, south side only. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- B. An Ordinance permitting Luis Carbajal to use a portion of Zaragoza Park from 1:00 PM until 6:00 PM on June 10, 2001 for a family reunion. Fee: \$70.00.
- C. An Ordinance permitting Vineyard Christian Fellowship to use Veterans Park and Pavilion from 6:00 AM until 10:00 PM on May 26, 2001 for a community blessing event. Fee: \$200.00.
- D. An Ordinance permitting Karina Hernandez to use a portion of Memorial Park from 2:00 PM until 7:00 PM on April 29, 2001 for a birthday party for children. Fee: \$70.00.
- E. An Ordinance approving the Rim-University Neighborhood Plan as a specific study area plan to be incorporated into the City's comprehensive plan, *The Plan for El Paso*, and which Neighborhood Plan shall amend the Year 2025 General Land Use map incorporated therein as to the Rim-University Neighborhood.
- F. An Ordinance to amend Title 12 (Vehicles & Traffic), Chapter 12.46 (Mobile Food Vendors) and repealing Chapter 13.20.040(B)(1-5). The Penalty being as provided In Section 12.84 c the El Paso Municipal Code.
- G. An Ordinance amending Ordinance Nos. 010873, 012221, 012476, And 012636, which established fees for the Foreign Trade Zone, to identify current industrial areas operated as part of Foreign Trade Zone No. 68, to provide for Subzones and Subzone Fees within Foreign Trade Zone No. 68, to modify the User Fees for Users of Foreign Trade Zone No. 68, and to amend the Tariff for Foreign Trade Zone No. 68 to reflect such changes.
- H. An Ordinance authorizing the Mayor to sign a Special Warranty Deed conveying to the University of Texas at El Paso, a parcel of land being a 16 foot wide alley, between Schuster and Crosby Streets in Block 51, Hawthorne Place, Alexander Addition, El Paso, El Paso County Texas.
- I. An Ordinance authorizing the Mayor to sign, on behalf of the City of El Paso, an Agreement with USA Border Boxing Association authorizing the use of Carolina Recreation Center, located at 563 N. Carolina, El Paso, Texas from May 11, 2001 through May 12, 2001 and requiring the payment of \$700.00 as consideration for that use.

**PUBLIC HEARING WILL BE HELD ON APRIL 24 2001 FOR ITEMS A - I**

- J. An Ordinance changing the zoning of all of Lots 28 and 29, Block 15, BRENTWOOD HEIGHTS ADDITION, City of El Paso, El Paso County, Texas (5412 Rosa Avenue) from R-5 (Residential) to S-D (Special Development), and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Patricio



Jr., Javier J. and Victor R. Reyes / Representative: Roe Engineering, L.C., 601 N. Cotton, Suite 6, El Paso, TX 79902. ZC-00044

- K. An Ordinance changing the zoning of A Portion of the M.J. McKELLIGON SURVEY 270, City of El Paso, El Paso County, Texas (50 Feet North of the Intersection of San Mateo Road and Piedmont Avenue) From PMD (Planned Mountain Development) To R-3 (Residential). The penalty being as provided in section 20.68.010 of the El Paso Municipal Code. Applicant: El Paso Water Utilities / Representative: Robert Navarro, 124 West Castellano, Suite 201 El Paso, El Paso, TX 79912

**PUBLIC HEARING WILL BE HELD ON MAY 1 2001 FOR ITEMS J - K**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**ADDITION TO THE AGENDA**

**\*RESOLUTION**

**A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATION SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR NECESSARY CAPITAL IMPROVEMENTS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS. (MCCOMBS LANDFILL NEXT CELL DESIGN)**

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes ("Tax-Exempt Obligations") pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the construction, reconstruction, repair or renovation of the property listed on Exhibit "A" (Exhibit on file with this Resolution in the City Clerk's office) attached hereto; and,

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the property listed on Exhibit "A" attached hereto; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and,

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

Section 1. The City Council hereby declares the intention of the City of El Paso, Texas, pursuant to Regulation Section 1.150-2(e) of the United States Internal Revenue Code, to finance expenditures to be incurred from the proceeds of the sale of the City's Tax-Exempt Obligations.

Section 2. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to a date that is sixty days prior to the date hereof and that are to be paid in connection with the construction, reconstruction, repair or renovation of the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof, for the project known as McCombs Landfill Cell.

Section 3. The City reasonably expects that the maximum principal amount of Tax-Exempt obligations issued to reimburse the City for the costs associated with the property listed on Exhibit "A" attached hereto will not exceed \$200,000.00.

Section 4. The Mayor is hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

.....  
\*RESOLUTION

You are hereby notified that at 9:00 a.m. on the 8<sup>th</sup> day of May, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2917 Brian Allin Drive, in El Paso, Texas, which property is more particularly described as:

Lot: 10, Block 193, Vista Del Sol Unit Thirty Three, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 47, Page 13, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Maria E. & Minda Navarro, 2917 Brian Allin Drive, El Paso, Texas 79936 are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Buildings should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Buildings in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

.....  
**JOINT RESOLUTION**

**A JOINT RESOLUTION OF THE PUBLIC SERVICE BOARD AND THE CITY COUNCIL OF THE CITY OF EL PASO AUTHORIZING THE TRANSFER OF A 58.27 ACRE TRACT OF LAND ADJACENT TO THE GREENBELT LEVEE SYSTEM AND LOCATED NEAR THE JUNCTURE OF PATRIOT FREEWAY AND MCCOMBS STREET, EL PASO, EL PASO, COUNTY, TEXAS. SAID LAND TO BE USED AS A NORTHEAST REGIONAL PARK PURSUANT TO THE BOND ELECTION OF MAY, 2000.**

WHEREAS, the El Paso Water Utilities Public Service Board (PSB or Public Service Board) has jurisdiction and control over that certain real property located adjacent to the Greenbelt Levee System located near the juncture of Patriot Freeway and McCombs Street, El Paso, El Paso County, Texas, (Property); and,

WHEREAS, by Resolution dated April 23, 1997, the PSB set aside the Property to be conveyed to the City of El Paso (City) for park purposes subject to an agreement for reasonable compensation to the PSB; and,

WHEREAS, the PSB determined that a reasonable compensation would be 50% of the appraised fair market value which appraised fair market value was established by an independent appraisal to be \$699,000.00; and,

WHEREAS, the PSB finds that the tract of land requested to be relinquished to the City is surplus to the PSB and inexpedient to the use by the PSB in connection with the City's water and wastewater system; and further, that the transfer of the land to the City for use as a regional park will not impair the assets of the PSB or adversely affect the operations thereof; and,

WHEREAS, the PSB and the City, each and individually, expressly find that it is in the paramount public interest to adopt this Joint Resolution; NOW THEREFORE,

**BE IT RESOLVED BY THE PUBLIC SERVICE BOARD AND THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

Section 1. The findings and recitations set out in the preamble to this Joint Resolution are found to be true and correct, and they are hereby adopted by the Public Service Board and the City Council and made a part of this Joint Resolution by this reference for all purposes.

Section 2. The City and the PSB hereby agree that the following described land shall be and hereby is transferred from the real property assets of the PSB to the real property assets of the City for the use by the City as the Northeast Regional Park in accordance with the terms of this Joint Resolution, to-wit:

A tract of land consisting of 58.2766 acres of land, more or less, and being described as a tract of land adjacent to the Greenbelt Levee System and circumscribed by the Greenbelt Levee System on the East and generally, the Patriot Freeway right-of-way on the North and the McCombs Street right-of-way on the West and the boundary of the

tract itself on the South, all as shown on Exhibit "A" attached hereto and incorporated herein by this reference for all purposes.

Section 3. The City shall, as agreed consideration, pay to the PSB the total sum of THREE HUNDRE FORTY-NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS, (\$349,500.00).

Section 4. The property transferred hereby is subject to all rights-of-way, easements, dedications, restrictions, reservations and other encumbrances of record and running with the land, or as shown on a survey of the property, or apparent on the ground.

Section 5. The PSB hereby retains any and all water rights or rights to water for the Property.

Mr. Charles Nutter, Director of Parks & Recreation, explained that this was a culmination of four years of work with the Public Service Board. He explained that this will be the core of the Northeast Regional Park and this will be about a three year project.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....  
Motion made by Representative Sariñana, seconded by Representative Hernandez and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

|                 |  |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY               |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY     |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS                        |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES  |

- A. El Paso Electric Co. Application to Increase Fuel Factor and for Fuel Surcharge, SOAH Docket No. 473-01-1494, PUC Docket No. 23530. (Section 551.071)
- B. Efrain Silva, 01-A-001 (551.071)
- C. Dr. George M. Isaac, et al v. City of El Paso; Cause No. 99-865, Our File No. 99-S-21 (551.071)
- D. Police Overtime Pursuant to FLSA, 01-C-068 (551.071)

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....  
Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to postpone one week the El Paso Electric Co. Application to Increase Fuel Factor and for Fuel Surcharge, SOAH Docket No. 473-01-1494, PUC Docket No. 23530.

.....  
Motion made by Representative Medina, seconded by Representative Cook and carried that the City settle its subrogation interest in the claim of **EFRAIN SILVA; 01-A-001** as recommended by the City Attorney.

.....  
Motion made by Representative Medina, seconded by Representative Hernandez and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the lawsuit entitled **Dr. George M. Isaac, et al v. City of El Paso; Cause No. 99-865, Our File No. 99-S-21**; as recommended by the City Attorney.

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Motion made by Representative Medina, seconded by Representative Sariñana and carried that the City Attorney be **AUTHORIZED TO REIMBURSE NON-PLAINTIFF POLICE EMPLOYEES** in the claim entitled **POLICE OVERTIME PURSUANT TO FLSA, Our File No. 01-C-068**, as recommended by the City Attorney.

.....  
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to adjourn this meeting at 12:40 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter

Carole Hunter, City Clerk



Charles McNabb, City Attorney

